

**City of Fairburn
Planning and Zoning Commission Minutes
April 9, 2013**

Attendance

Present were Chairman Elise Stoney, Vice-Chair Shelby Phillips, Commission Members Mark Wade, Sheray Gaffney, Elizabeth Echols, and James Whitmore. Absent was Commission Member Carolyn Bradley. Also present were the Community Development Director/City Engineer, Troy Besseche; Planning Consultant, Jahnee Prince; and City Attorney representatives, Valerie Ross and Meredith Germain.

Call to Order

Chairman Stoney called the meeting to order at 7:02 pm in the City Hall Council Chambers.

Pledge of Allegiance

The meeting opened with the reciting of the Pledge of Allegiance.

Roll Call – Determination of Quorum

A quorum was confirmed for meeting.

Public Comments

Chairman Stoney opened the floor to public comments. Hearing none, the Chairman closed the public comments section of the meeting.

Agenda Approval

Chairman Stoney acknowledged an addition to the agenda; **The May meeting will be rescheduled.** Commissioner Whitmore made a motion to approve the agenda. Commissioner Wade seconded the motion and it was unanimously approved.

Approval of Minutes

Commissioner Echols made a motion to approve the minutes from March 5, 2013. Commissioner Wade seconded the motion, and it was unanimously approved.

Public Hearing

Z2013-03 – Text Amendment

To adopt the following:

CHAP. 80 ART. II Secs. 80-91 RM-36 (Multi-Family)

Jahnee Prince proposed new zoning district for two family dwelling, senior housing and family daycare. The maximum height for the buildings will be four (4) stories. Vice Chairman Phillips inquired if the firefighters are currently capable of putting out fires at four (4) stories.

Mr. Mack McCarthney expressed how favorable he is of the RM-36 (Multi-Family). He and his wife like the small quaint town feel of Fairburn and would like to continue their residency. The ordinance will allow senior communities to come into the city and provide residents the option to stay instead of moving.

Vice Chairman Phillips made a motion to recommend approval. Commissioner Whitmore seconded the motion and it was unanimously recommended to City Council for approval.

Z2013-04 – Text Amendment

To adopt the following:

CHAP. 80 ART. II Secs. 80-92 RR-36 (Railroad)

Jahnee Prince stated that most cities with railroads in their towns are now adopting a zoning district specifically for the railroad owned and controlled property, the railroad ROW. It's a preventative measure in case the railroad ROW is abandoned. Ms. Prince would like to apply the railroad zoning to the railroad ROW. This particular agenda item is just to create the district to put the text into the zoning ordinance and to put the color on the map to show that it exists and that it's an option.

Commissioner Whitmore made a motion to recommend approval. Commissioner Gaffney seconded the motion and it was unanimously recommended to City Council for approval.

Z2013-05 – Text Amendment

To adopt the following:

CHAP. 80 ART. II Secs. 80-111 Water Resource Districts

Mr. Besseche stated the city needs to be in compliance with the state guidelines and to move forward with the permitting of the proposed drinking water reservoir on Bear Creek by adopting the ordinance. Vice Chairman Phillips questioned whether or not the nearby landfill is in the Bear Creek basin, with Mr. Besseche confirming that it was. The South Fulton Regional Municipal Water and Sewer

Authority have a proposal to construct a reservoir which includes three (3) cities, Fairburn, Union City, and Palmetto. One requirement is that The City of Fairburn has current ordinances that apply to watershed protection which addresses water supply watersheds where an area that drains to drinking water intake is protected. The creeks that are affected are Fairburn's Bear Creek, Line Creek and White water Creek. The amendment was drafted as an addition to the section 80-111 and Mr. Besseche recommends approval.

Commissioner Echols made a motion to recommend approval. Commissioner Gaffney seconded the motion and it was unanimously recommended to City Council for approval.

V2013-01 – Variance

219 Malone Cir

Jahnee Prince stated that Mr. and Mrs. Grantham are requesting a variance to reduce the side yard setback from the required 15ft to 5ft. Due to the original garage on right side of the house has been enclosed and built another garage on the left hand side. The Grantham's would like to put a second story deck on the left hand side of the house. You may also see where they actually encroach on the sidewalk setback on both sides of the lot. The proposed deck in the front is adding to the existing conditions of the property. Taking the side yard setback to 5ft will keep the property's correct distance for fire code considerations. Ms. Prince recommends approval of the variance.

Commissioner Whitmore stated he drove past the property and accessed the Fulton County Board of Tax Assessors website; however the property enclosures and additions to the main portion of the home are not reflected in the Assessor's records.

Mr. Grantham stated the two enclosures for the property were built by contractors because he paid for the services himself to include permit fees. He also states that Mrs. Grantham has back problems and has no way of getting out of the house. Building the deck would make it easier for Mrs. Grantham's mobility.

Commissioner Whitmore made a motion to recommend approval. Commissioner Gaffney seconded the motion and it was unanimously recommended for approval.

AX2013-01 – Annexation

7685 Fayetteville Rd

Mr. Besseche explained that the owners of property 7685 Fayetteville Road have requested that the City of Fairburn Mayor and City Council annex .951 acres of land into the City of Fairburn, and extend the city boundaries to include the same.

The property owner seeks to develop the property and to keep in the City of Fairburn. The annexation will be a recommendation to City Council.

Mr. Besseche recommended approval.

Vice Chairman Phillips made a motion to recommend approval. Commissioner Echols seconded the motion and it was unanimously recommended for approval.

Zoning Map Adoption

Jahnee Prince proposed to the committee to consider the revised official Zoning Map of the City of Fairburn referenced in Section 80-35-38 of the Zoning Ordinance.

Commissioner Wade made a motion to approve the zoning map. Commissioners Whitmore and Gaffney seconded the motion and it was unanimously approved.

New Business: None

Unfinished Business

Mr. Besseche recommended approval of the **CSX Intermodal Track Expansion**. Present at the meeting was Acardis Representative, Bo Sawyer, Transportation Planner Julie Price and the CSX Fairburn Operations Manager Ashley Caldwell.

Bo Sawyer provided a brief overview of the expansion project, which included traffic statistics and that the expansion will not increase business or truck traffic.

Commissioner Gaffney made a motion to approve the track expansion. Commissioner Wade seconded the motion, and it was unanimously approved.

Mr. Besseche revisited the **Exeter building expansion** and referred members to view the attached site plan. Present for the expansion project was John Atchinson (ARCO). Vice Chairman Phillips asked if the existing building has a lease agreement. Mr. Atchinson explained the building is currently leased and the expansion will be maintained by the same tenant.

Commissioner Echols made a motion to approve the track expansion. Commissioner Gaffney seconded the motion, and it was unanimously approved.

Staff Report

Mr. Besseche informed the commissioners of the upcoming Tour of City's. He also referenced there's been some challenges with the re-zoning due to South Fulton county and that the main meeting has to be rescheduled due to timing of the weekly newspaper publishing.

Mr. Besseche recommends the May 4, 2013 meeting be rescheduled to May 9, 2013 and asked if all commissioners will be available.

Vice Chairman Phillips made a motion to approve the May 9, 2013 Planning & Zoning Commission meeting. Commissioner Echols seconded the motion, and it was unanimously approved.

Attorney Ross needed Commissioner Echols to amend her motion for Exeter. The motion was seconded by Commissioner Gaffney.

Commission Member Comment.

Chairman Stoney recognized and thanked Mayor Avery, Councilwoman Russell, and Mack McCarthney for attending the meeting.

Commissioner Echols was pleased with the information presented.

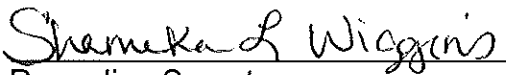
Commissioner Wade expressed he was glad to be back for attendance.

Adjourn

There being no further business to discuss, a motion was made by Commissioner Wade to adjourn the meeting at 9:01 pm. The motion was seconded by Commissioner Echols and it was unanimously approved.



Chairman Elise Stoney



Recording Secretary
Shameka L. Wiggins